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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN FRANCISCO DIVISION**

10
11 JAMAL WILLIAMS,
12 Plaintiff,
13 v.
14 CITY OF BERKELEY,
15 Defendant.

Case No. 14-cv-01830 NC

**ORDER RE: SUPPLEMENTAL
SUBMISSIONS ON MOTION FOR
APPROVAL OF SETTLEMENT OF
FLSA CLAIMS**

Re: Dkt. No. 21

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17 Plaintiff Jamal Williams and defendant City of Berkeley move jointly for an order
18 approving the settlement of plaintiff's FLSA claims and dismissing, with prejudice,
19 plaintiff's claims against defendant. Dkt. No. 21. The motion is set for hearing on
20 February 11, 2015. By January 23, 2015, the parties must file the following:

21 1. A declaration supporting the factual contentions in the joint motion, and any
22 supplemental briefing, such as the factual assertions made about the value of plaintiff's
23 FLSA claims. Civ. L.R. 7-5(a) ("Factual contentions made in support of or in opposition to
24 any motion must be supported by an affidavit or declaration and by appropriate references
25 to the record.").

26 2. An explanation of how the settlement amount is allocated between the FLSA and
27 non-FLSA claims and why such allocation is a fair and reasonable resolution of the FLSA
28 claims.

1 3. An explanation of why the Court should approve as fair and reasonable a
2 settlement of FLSA claims that releases “the City, and its divisions, subsidiaries, affiliates,
3 officers, agents, and employees, from any and all claims, demands, and causes of action of
4 every kind, known or unknown, whether based on tort, contract, negligence,
5 discrimination, reprisal, or any other legal theory of recovery, including without limitation
6 under Federal or State statute, City ordinance, common law, or the Constitution of the
7 United States or of a State, arising out of or in any way related to [plaintiff’s] employment
8 with the City.” Dkt. No. 21 at 8-9. *See Luo v. Zynga Inc.*, No. 13-cv-00186 NC, 2014 WL
9 457742, at *3 (N.D. Cal. Jan. 31, 2014); *McKeen-Chaplin v. Franklin Am. Mortgage Co.*,
10 No. 10-cv-5243 SBA, 2012 WL 6629608, at *5 (N.D. Cal. Dec. 19, 2012).

IT IS SO ORDERED.

Date: January 13, 2015

Nathaniel M. Cousins

Nathanael M. Cousins
United States Magistrate Judge